

compositions comprising isolated component (A). The Applicants respectfully request that upon an indication of allowability for the elected species (chlorogenic acid + and organic acid) that examination be extended to compositions comprising caffeic acid or ferulic acid as component (A).

#### REJECTION - 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 15 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is moot in view of the amendment of Claim 15.

#### Rejection - 35 U.S.C. § 102

Claims 6, 7 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hsu, U.S. Patent No. 5,958,417. This rejection may now be withdrawn, as independent Claim 6 has been amended to specify that component (A) is isolated. On the other hand, while the Hawthorn (*Crataegus*) extract of Hsu may contain chlorogenic acid, the chlorogenic acid is not isolated from the other components of *Crataegus*. Moreover, Hsu does not suggest that it is the chlorogenic acid component of *Crataegus* that may be used to treat hypertension, therefore, one with ordinary skill in the art would not have been motivated by Hsu to isolate chlorogenic acid from *Crataegus* and use it to treat hypertension.

#### Rejection—35 U.S.C. 103

Claims 6, 7, 10 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsu, U.S. Patent No. 5,958,417 and Ahn, U.S. Patent No. 4,981,852. These documents do not render the present invention obvious, because neither suggest that a composition comprising isolated chlorogenic acid and an organic acid would treat hypertension. Hsu has been addressed above. Ahn discloses that the combination of the drug triamperterine

solubilized with lactic acid exerts antihypertensive properties, see col. 1, lines 11-16 and lines 58-59, and the claims. Ahn discloses that triamperterine exerts antidiuretic effects. While Ahn, col. 1, line 58-col. 2, line 2, suggests that lactic acid helps (along with glycols) to dissolve triamperterine, there is no suggestion that lactic acid, *per se*, would treat hypertension, nor any suggestion that the combination of isolated chlorogenic acid and lactic acid would treat hypertension. Accordingly, the Applicants respectfully request that this rejection be withdrawn.

#### CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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MARKED-UP COPY OF AMENDMENT

IN THE CLAIMS

Please amend independent Claims 6, 15 and 18 as follows:

--6. (Twice amended) A method for treating hypertension comprising:

administering a composition comprising:

(A) [a] an isolated compound selected from the group consisting of caffeic acid, chlorogenic acid and ferulic acid, or an ester or pharmaceutically acceptable salt thereof; and

(B) an organic acid having a molecular weight ranging from 60 to 300 or a pharmaceutically acceptable salt thereof, wherein said organic acid is not citric acid.--

--15. (Amended) The method of Claim 6, wherein (B) is selected from the group consisting of acetic acid, lactic acid, [citric acid,] gluconic acid, fumaric acid,  $\alpha$ -ketoglutaric acid, succinic acid, glycolic acid, malic acid, tartaric acid, pyruvic acid, and malonic acid.--

--18. (Amended) A method for treating hypertension comprising:

administering a composition comprising:

(A)[a] an isolated compound selected from the group consisting of caffeic acid, chlorogenic acid and ferulic acid, and esters and pharmaceutically acceptable salts thereof; and

(B) a component selected from the group consisting of a central nervous system stimulating component, food fiber, extract of perennial evergreen leaves of the genus *Camellia*, extract of perennial evergreen leaves of the genus *Theaceae*, extract of perennial evergreen leaves of the genus *Eucommia ulmoides* Oliver, *Eucommiae*, and a sugar alcohol.--